

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**Freedom From Religion Foundation,
Inc., Paul Weinbaum, Martin J. Boyd, M.D.
and Jesse V. Chavez,**

Plaintiffs,

vs.

Civil No. 05-1168 RLP/KBM

**Secretary Joe R. Williams,
Homer Gonzalez, Bill Snodgrass,
In Their Official Capacities, and Corrections
Corporation of America, Inc.,**

**Notice of Proposed Withdrawal
of Memorandum Opinions and Orders [Docket No. 92 & 93]**

“Federal courts ... are courts of a limited jurisdiction.” Turner v. Bank of N. Am., 4 U.S. (4 Dall.) 8, 8, 1 L.Ed. 718 (1799). “They possess only that power authorized by Constitution and statute....” Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 377, 114 S.Ct. 1673, 128 L.Ed.2d 391 (1994). To ensure its Article III power is exercised properly, a federal court must, “in every case and at every stage of the proceeding, satisfy itself as to its own jurisdiction.” Citizens Concerned for Separation of Church and State v. City and County of Denver, 628 F.2d 1289, 1301 (10th Cir.1980).

This Court hereby gives notice of its proposed withdrawal of its Memorandum Opinions and Orders [Docket No. 92 & Docket No. 93], and its further proposed dismissal of Plaintiffs’ claims with prejudice, or in the alternative, entry of Summary Judgment in favor of Defendants, on the issue of taxpayer standing. Hein v. Freedom From Religion Foundation, Inc., ____ S.Ct. ____, 2007 WL 1803960 (June 25, 2007).

The Parties are granted until July 9, 2007, to submit written argument and authorities addressing this proposed action.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Richard L. Puglisi', is written over a horizontal line.

RICHARD L. PUGLISI
United States Magistrate Judge
(sitting by designation)